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Attorney Docket No. 039153-0433 (C167596-CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sander, et al.
Title: MINIMIZING TRANSISTOR SIZE
IN INTEGRATED CIRCUITS
Parent 09/515,875
Appl. No.:
Filing Date: 4/25/2001
Parent 2/29/2000
Filing Date:
Parent 9/11/2001
Grant Date:

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below. Amy Nailen (Printed Name) Amy Nailen (Signature) 05-09-2002 (Date of Deposit)

**PETITION TO CONVERT APPLICATION FROM A CONTINUED PROSECUTION
APPLICATION UNDER 37 C.F.R. § 1.53(d) TO A NONPROVISIONAL APPLICATION
UNDER 37 C.F.R. § 1.53(b)**

Commissioner for Patents
Box DAC
Washington, D.C. 20231

Adjustment date: 03/27/2003 UEDUVIJE
02/13/2003 AKELLEY 00000008 10042732
01 FC:1006 -710.00 OP

Attn: OFFICE OF PETITIONS

Adjustment date: 02/13/2003 AKELLEY
05/07/2001 GTEFFERA 00000026 09515875
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01 FC:1001 30.00 CH 710.00 OP

Adjustment date: 02/13/2003 AKELLEY
05/17/2002 SLUANG1 00000010 09515875
01 FC:122
Applicants filed an application ("the present application") on April 25, 2001 based upon U.S. Application No. 09/515,875 ("the '875 application"). The present application is attached as Exhibit A.

The present application was filed prior to the abandonment or issuance of the '875 application (attached as Exhibit B). Applicants paid the issue fee in the '875 application on April 16, 2001, resulting in the grant of U.S. Patent No. 6,287,953 ("the '953 patent") on September 11, 2001 (attached as Exhibit C).

Applicants intended to file the present application as a nonprovisional divisional application pursuant to 37 C.F.R. § 1.53(b). Referring to Exhibit A, Applicants filed an application transmittal sheet that erroneously made reference to 37 C.F.R. § 1.53(d) rather than 37 C.F.R. § 1.53(b).

Applicants did not intend to abandon the '875 application by the filing of the present application under 37 C.F.R. § 1.53(d), and the '875 application was not abandoned as evidenced by the issuance of the '953 patent.

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Applicants received the return post card (see Exhibit A) indicating receipt of the present application by the U.S. Patent & Trademark Office ("the Office"), but have yet to receive a filing receipt.

Applicants recently learned that the Office has no record of the present application. Applicants believe this may be due to Applicants' erroneous reference to 37 C.F.R. § 1.53(d) in the present application transmittal.


**APPLICANTS HEREBY PETITION FOR CONVERSION OF THE PRESENT APPLICATION
INTO A NONPROVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(B)**

Applicants have enclosed a check in the amount of \$130.00 to cover the fee for this petition set forth in 37 C.F.R. § 1.17(h).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 5/9/02

By 

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